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Attorneys for Defendants
UTSTARCOM, INC., HONG LIANG LU,
YING WU, MICHAEL SOPHIE, THOMAS TOY,
and FRANCIS BARTON

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

PETER RUDOLPH, individually and on behalf
of all others similarly situated,

Plaintiff,

v.

UTSTARCOM, HONG LIANG LU, YING WU,
MICHAEL SOPHIE, THOMAS TOY, and
FRANCIS BARTON,

Defendants.

CASE NO.: 3:07-CV-04578-SI

**DECLARATION OF BRYAN J.
KETROSER IN SUPPORT OF
MOTION TO DISMISS
PLAINTIFF'S SECOND AMENDED
CLASS ACTION COMPLAINT**

Date: August 1, 2008

Time: 9:00 a.m.

Before: Hon. Susan Illston

1 I, Bryan J. Ketrosor, declare as follows:

2 I am an attorney duly licensed to practice law in the State of California and before this
3 Court. I am associated with the law firm of Wilson Sonsini Goodrich & Rosati, Professional
4 Corporation, counsel for Defendants in the above-entitled action. I respectfully submit this
5 declaration in support of Defendants' Motion to Dismiss Plaintiff's Second Amended Class
6 Action Complaint. I have personal knowledge of the facts stated herein and, if called as a
7 witness, I could and would testify competently thereto.

8 1. Attached hereto as Exhibit A is a true and correct copy of a *Forbes.com* article
9 entitled "Options Probe Derails UTStarcom Stock," dated November 8, 2006.

10 2. Attached hereto as Exhibit B is a true and correct copy of a chart of UTStarcom's
11 ("UTSI") stock prices from August 3, 2001 through July 24, 2007.

12 3. Attached hereto as Exhibit C is a true and correct copy of UTSI's Form 8-K filed
13 with the Securities and Exchange Commission ("SEC") on January 4, 2007.

14 4. Attached hereto as Exhibit D is a true and correct copy of UTSI's Form 8-K filed
15 with the SEC on February 2, 2007.

16 5. Attached hereto as Exhibit E is a true and correct copy of UTSI's Form 8-K filed
17 with the SEC on July 24, 2007.

18 6. Attached hereto as Exhibit F is a true and correct copy of UTSI's Form 10-Q for
19 the fiscal quarter ended December 31, 2006 filed with the SEC on October 10, 2007.

20 7. Attached hereto as Exhibit G is a true and correct copy of UTSI's Form 8-K filed
21 with the SEC on May 2, 2008.

22 8. Attached hereto as Exhibit H is a true and correct copy of a Recorder article
23 entitled "UTStarcom Execs Settle SEC Charges," dated May 5, 2008.

24 9. Attached hereto as Exhibit I is a true and correct copy of UTSI's Form DEF 14A
25 filed with the SEC on April 11, 2002.

26 10. Attached hereto as Exhibit J is a true and correct copy of UTSI's Form DEF 14A
27 filed with the SEC on April 3, 2003.

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1 11. Attached hereto as Exhibit K is a true and correct copy of UTSI's Form DEF 14A
2 filed with the SEC on April 18, 2005.

3 12. Attached hereto as Exhibit L is a true and correct copy of UTSI's Form DEF 14A
4 filed with the SEC on April 7, 2004.

5 13. Attached hereto as Exhibit M are true and correct copies of Form 4s filed by
6 defendants Hong Liang Lu, Michael Sophie, Thomas Toy and Ying Wu and signed on various
7 dates.

8 14. Attached hereto as Exhibit N is a true and correct copy of a Form 4 filed by Hong
9 Liang Lu and signed on August 25, 2003.

10 15. Attached hereto as Exhibit O is a true and correct copy of UTSI's Form DEF 14A
11 filed with the SEC on June 16, 2006.

12 16. Attached hereto as Exhibit P is a true and correct copy of a Form 3 filed by
13 Francis Barton and signed on August 3, 2005.

14 17. Attached hereto as Exhibit Q is a true and correct copy of excerpts from UTSI's
15 Form S-3/A filed with the SEC on June 21, 2001.

16 18. Attached hereto as Exhibit R is a true and correct copy of UTSI's Form 8-K filed
17 with the SEC on May 16, 2007.

18 I declare under the penalty of perjury that the foregoing is true and correct. Executed this
19 6th day of June, 2008, in San Francisco, California.

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21 /s/ Bryan J. Ketrosier
22 Bryan J. Ketrosier
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